Inmate Grievances

610.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a process by which inmates may file grievances and receive a formal review regarding the conditions of their confinement.

610.2 POLICY

It is the policy of this office that any inmate may file a grievance relating to conditions of confinement, which includes release date, housing, medical care, food services, hygiene and sanitation needs, recreation opportunities, classification actions, disciplinary actions, program participation, telephone and mail use procedures, visiting procedures, and allegations of sexual abuse.

Grievances will not be accepted if they are challenging the rules and policies, state or local laws, court decisions, and probation/parole actions.

Retaliation for use of the grievance system is prohibited.

610.3 INMATE GRIEVANCE PROCEDURES

Staff shall attempt to resolve all grievances at the lowest level informally. attempts to resolve a grievance should be documented. If there is no resolution at this level, the inmate may fill out an electronic grievance form.

A grievance should be filed by an inmate within 14 days of the complaint or issue.

Inmates cannot file a grievance on behalf of another inmate but an inmate may assist another inmate in the preparation of a grievance. Custody staff may take reasonable steps to assist the inmate in the preparation of a grievance if requested.

Grievances are routed electronically to the responsible parties. Documentation of action continues throughout the process and until final resolution.

610.3.1 EXCEPTION TO INITIAL GRIEVANCE FILING

If the inmate is exhibiting behavior that is inappropriate (i.e., threatening members, using lewd language, etc.) the member will explain that a grievance addressed in this manner will not be accepted for review; and it will be returned to the inmate so the issue may be expressed in a more acceptable manner.

If an inmate files a grievance that is threatening or lewd in composition, The ISS who receives the grievance will respond with an explanation as to, what is wrong with it and that it will not be accepted as it is, and ask the inmate if they would like to submit another more appropriate grievance.

Copyright Lexipol, LLC 2024/12/05, All Rights Reserved.
Published with permission by Thurston County Sheriff's Office

610.3.2 TIMELY RESOLUTION OF GRIEVANCES

(a) All disciplinary appeals will be responded to within seventy-two (72) hours (excluding weekends and holidays).

(b) Grievances not involving a disciplinary matter will be responded to within seven (7) days (excluding weekends and holidays). If a non-disciplinary grievance cannot be resolved within this time frame, the inmate will be advised that additional time is necessary to resolve their grievance. Response to the grievance will occur at the earliest date a resolution can be accomplished.

(c) All inmate grievance time limitations will be extended during security overrides or emergency situations affecting the facility operations, but only for the length of time of the security override or emergency situation.

Grievance - Emergency Nature

The ODS Housing Sergeant or ISS when made aware of an emergency grievance will determine at what level of the organization an emergency grievance will be handled (shift level, inmate services, jail administration, etc.). All emergency grievances will receive expedited responses at every level of the decision process, including appeals.

Alleged Mistreatment

If an inmate files a grievance alleging mistreatment by staff or staff misconduct, the Inmate Services Sergeant (ISS) will notify to the Inmate Services Lieutenant for further review and possible investigation. The Inmate Services Lieutenant will advise the Support Services Captain of the allegations. The Support Services Captain will make the determination to notify the Chief Deputy of Corrections of the allegations

610.3.3 APPEALS TO GRIEVANCE FINDINGS

If an inmate is dissatisfied with the response to their grievance or disciplinary hearing findings, the response may be appealed to the Inmate Services Lieutenant, or designee. That appeal will be responded to, within seven (7) days of submission (excluding weekends and holidays). No further recourse or appeal avenues will be available within the Thurston County Corrections Bureau Facility to the appealing inmate after the appeal is reviewed and a written response is given.

Copyright Lexipol, LLC 2024/12/05, All Rights Reserved.
Published with permission by Thurston County Sheriff's Office

610.3.4 FRIVOLOUS GRIEVANCES

Inmates shall use the grievance process only for legitimate problems or complaints. If there is concern that an inmate is abusing the grievance process, he/she shall be informed that continued behavior may result in disciplinary action.

610.3.5 EMERGENCY GRIEVANCES

Inmates may file an emergency grievance to address issues that could subject the inmate to immediate substantial risk of personal injury or cause other serious and irreparable harm, as defined by the Chief Deputy of Corrections. An emergency grievance may be submitted to any member and forwarded immediately without substantive review to the Shift Supervisor.

The Shift Supervisor should promptly initiate an investigation or direct the manager responsible for the program or service to commence an investigation. The Shift Supervisor should produce or receive findings and recommendations from the investigation within 48 hours of receipt of the grievance and communicate the resolution to the inmate immediately. The inmate may appeal the decision to the Chief Deputy of Corrections within 24 hours of notification, and the Chief Deputy of Corrections will communicate the final decision within 24 hours of receipt of the appeal.

610.4 GRIEVANCE AUDITS

The Chief Deputy of Corrections or designee should perform an annual audit of all inmate grievances and complaints filed the previous calendar year. The Chief Deputy of Corrections or designee should document the findings, including recommendations regarding any changes to policy or procedures or any additional training that might be warranted to reduce future complaints.

The Sheriff should evaluate the recommendations and ensure appropriate action is taken.

Any training issues identified as a result of this audit should be forwarded to the Training Manager, who will be responsible for ensuring all necessary and required training is scheduled and completed.

610.5 ADDITIONAL PROVISIONS FOR GRIEVANCES RELATED TO SEXUAL ABUSE

The following apply to grievances that relate to sexual abuse allegations (28 CFR 115.52):

(a) Inmates may submit a grievance regarding an allegation of sexual abuse at any time.

(b) Third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, are permitted to assist inmates in filing such grievances and to file such grievances on behalf of inmates if the inmate agrees to have the grievance filed on his/her behalf. Staff members who receive a grievance filed by a third party on behalf of an inmate shall inquire whether the inmate wishes to have the grievance processed and shall document the inmate’s decision.

(c) Grievances may be submitted to any staff member and need not be submitted to the member who is the subject of the complaint.

(d) Staff receiving a grievance shall forward the grievance to a supervisor. Grievances shall not be forwarded to any supervisor who is the subject of the complaint. The supervisor receiving the grievance shall refer the grievance to the Shift Supervisor for

Copyright Lexipol, LLC 2024/12/05, All Rights Reserved.
Published with permission by Thurston County Sheriff's Office

investigation. Inmates and staff are not required to attempt to informally resolve grievances related to sexual abuse.

(e) The Shift Supervisor shall ensure that grievances related to sexual abuse are investigated and resolved within 90 days of the initial filing. The Shift Supervisor may grant an extension of up to 70 days if reasonable to make an appropriate decision. If an extension is granted, the inmate shall be notified and provided a date by which a decision will be made.

(f) At any level of the process, including the appeal, if the inmate does not receive a response within the allotted time, including any properly noticed extension, the inmate may consider the absence of a response to be a denial at that level.

(g) Inmates may be disciplined for filing a false grievance related to alleged sexual abuse only when it is determined that the inmate filed the grievance in bad faith.

610.5.1 EMERGENCY GRIEVANCES RELATED TO SEXUAL ABUSE

Any inmate who believes he/she or any other inmate is in substantial risk of imminent sexual abuse may file an emergency grievance with any supervisor. The supervisor shall determine whether immediate action is reasonably necessary to protect the inmate and shall provide an initial response within 48 hours.

The supervisor shall refer the grievance to the Shift Supervisor, who will investigate and issue a final decision within five calendar days.

The initial response and final decision shall be documented and shall include a determination whether the inmate is in substantial risk of imminent sexual abuse and identify actions taken in response to the emergency grievance (28 CFR 115.52).

610.6 TRAINING

The Training Manager shall ensure that all custody staff members receive initial and periodic training regarding all aspects of the Inmate Grievances Policy. All training delivered should include testing to document that the employee understands the subject matter.

610.7 ACCESS TO THE GRIEVANCE SYSTEM

All inmates shall be provided with a grievance process for resolving complaints arising from correctional facility matters with at least one level of appeal.

Inmates will receive information concerning the grievance procedure during the orientation process. Information will also be contained in the inmate handbook. Information regarding the grievance process will be provided to inmates in the language they understand.

The information will include:

- A grievance form or instructions for registering a grievance.
- Instructions for the resolution of the grievance at the lowest appropriate staff level.
- The appeal process to the next level of review.

Copyright Lexipol, LLC 2024/12/05, All Rights Reserved.
Published with permission by Thurston County Sheriff's Office

- Written reasons for denial of a grievance at each level of review.
- A provision of required time frames for responses.
- A provision for resolving questions of jurisdiction within the correctional facility.
- Consequences for abusing the grievance system.

Copyright Lexipol, LLC 2024/12/05, All Rights Reserved.
Published with permission by Thurston County Sheriff's Office